

**IN THE CIRCUIT AND SUPERIOR COURTS
OF HENRY COUNTY**

In the Matter of) Cause No:

Local JURY Rules)

ORDER FINDING GOOD CAUSE TO ADOPT LOCAL RULES AT TIME

OTHER THAN ESTABLISHED SCHEDULE

The judges of the Henry Circuit Court and the Henry Superior Courts, pursuant to Trial Rule 81(D), now find that good cause exists to deviate from the schedule established by the Division of State Court Administration for posting local rule adoptions. After publication for 30 days in the county clerk's office and on the Indiana Judicial Website, the newly adopted Jury Rules at LR33-JR1-1 through LR33-JR1-11 will be effective. An opportunity to comment on these proposed local court rules may be made for a period of forty-five (45) days after posting. Comments may be made to Henry County Circuit Court Judge Mary G. Willis at mwillis@henryco.net.

Submitted this 29th day of January, 2007.

For the Courts of Record of Henry County.



MARY G. WILLIS, JUDGE, HENRY CIRCUIT COURT

LR33-JR1-1 It is the intent of the Henry County Courts of Record to establish a jury system that will be less of a burden on the citizenry, economically feasible and efficient and allow more citizens to participate in the justice system. The courts hope to make jury duty educational and meaningful for citizens while minimizing disruptions to their lives.

If selected and sworn for a trial, the juror serves for the duration of the trial. If not selected that day, the individual is excused. In either case, the juror will not be eligible to be summoned again for a period of no less than 24 months from the date of the juror's summons.

LR33-JR1-2: Definitions:

Jury Administrator

Jury Administrator means the Bailiff and any appointed persons, e.g., Court Administrator or Clerk, who administers the jury assembly process.

Jury Pool

Annual pool of names selected from Henry County lists approved by the Supreme Court (Supreme Court Rule No. 2).

Jury Panel

Names randomly selected from the Jury Pool as needed to establish names for jury qualification and selection.

Sub-panel

Prospective names randomly selected from the Jury Panel who qualify to serve as jurors and are summoned to appear for a specific date.

LR33-JR1-3 Supervision:

All Henry County judges will supervise the jury system processes.

LR33-JR1-4 Term of Service:

A person who appears for service as a petit juror serves until the conclusion of the first trial in which the juror is sworn, regardless of the length of the trial or the manner in which the trial is disposed.

A person who:

- (1) serves as a juror, or
- (2) serves until jury selection is completed but is not chosen to serve as a juror, may not be selected for another jury panel until all nonexempt persons on the jury panel have been called for jury duty unless said juror requests, in writing, to remain eligible.

LR33-JR1-5 Random Draw:

The courts have authorized a “computerized random jury selection system” pursuant to I.C. 33-4-11-10.

Annually (and at such other times as the judges deem necessary), the judges will prepare a written order to draw Circuit and Superior Courts’ grand and petit jurors for the upcoming year. The order or orders shall be filed with the Clerk of Courts with a copy to the Jury Administrators and Bailiffs.

LR33-JR1-6 Petit Jurors:

The Bailiff for each court shall draw qualified jurors from the Jury Panel and summons the persons so chosen. The number of petit jurors contained in a sub-panel for civil and/or criminal cases shall be as directed by the judges.

LR33-JR1-7 Qualifications:

In order to be eligible for jury service a person shall state under oath that he or she is:

1. A citizen of the United States;
2. At least 18 years of age;
3. A resident of Henry County, Indiana;
4. Able to read, speak and understand the English language;
5. Not suffering from a physical or mental disability that prevents him or her from rendering satisfactory jury service;
6. Not under guardianship appointment because of mental incapacity;
7. Not a person who has had rights to vote revoked by reason of a felony convictions and whose right to vote have not been restored by law; and
8. Not a law enforcement officer, if the trial is for a criminal case.

LR33 JR1-8 Deferral:

Deferral is a request to be relieved from any instance of jury service. Upon showing undue hardship, extreme inconvenience or public necessity, a qualified juror may request a deferral of jury service to a time not to exceed twelve (12) months from original selection.

Every summons sent to prospective jurors will include instructions to follow when requesting to be deferred. The facts supporting a request for deferral must be recorded under oath or affirmation pursuant to Indiana Jury Rule 8. The preferred practice is for the juror to mail or fax a written request under oath; however, in emergency situations the Court or the Court Staff may file an Affidavit of Contact by Prospective Juror recording information received from the prospective juror which has been affirmed under penalties of perjury by the prospective juror. The request for deferral must be received by the court and acted upon prior to the commencement of voir dire in the trial from which the juror seeks deferral. The written request for deferral or oral record of evidence shall be retained for a period of two years in the manner provided by this plan under the record keeping section. Deferral request received after the commencement of voir dire in the trial for which

a juror was called shall not be approved.

LR33-JR1-9 Juror Safety and Privacy:

Personal information not disclosed in open court is confidential, other than for the use of the parties and counsel during the trial. The Court will collect all juror questionnaires at the conclusion of the trial.

LR33-JR1-10 Record Keeping:

The record of names drawn, jurors qualified, and juror deferrals shall be maintained by the Bailiff. The method for maintaining juror records will follow protocol established to comply with all applicable Indiana Code either in hard copy or digital format. All jury related data will be archived for a period of no less than two (2) years.

LR33-JR1-11 Sanctions for Non-compliance:

The judges may at such times as they deem necessary impose penalties pursuant to I.C. 33-4-11-16(b), I.C. 33-4-11-17 and I.C. 33-4-11-24 for non-compliance.